

**TRANSPORTATION DEPARTMENT[761]**

**Notice of Intended Action**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code sections 307.10 and 307.12, the Department of Transportation hereby gives Notice of Intended Action to amend Chapter 601, "Application for License," and Chapter 630, "Nonoperator's Identification," Iowa Administrative Code.

The REAL ID Act of 2005, 49 U.S.C. § 30301 note, as further defined in 6 CFR Part 37, provides that states must meet certain requirements in the issuance, reissuance, and renewal of driver's licenses and nonoperator's identification cards used to access federal facilities and federally regulated aircraft. These requirements include specific application and documentation requirements set forth at 6 CFR 37.11, including but not limited to documentation of identity, date of birth, social security number, address of principal residence, and evidence of lawful status in the United States. These requirements also include specific verification of documents and information provided, as well as mandatory facial image capture for all applicants for REAL ID-compliant driver's licenses and nonoperator's identification cards. These proposed amendments confirm that all applicants for REAL ID-compliant driver's licenses and nonoperator's identification cards must meet all lawful requirements for an Iowa driver's license or nonoperator's identification card, as well as all federal requirements for a REAL ID-compliant document, and are necessary to establish the state of Iowa's compliance with the REAL ID Act of 2005.

The Department shall not grant any waivers under the provisions of these amendments since the amendments are needed to comply with the REAL ID Act of 2005, 49 U.S.C. § 30301 note, as further defined in 6 CFR Part 37.

Any person or agency may submit written comments concerning these proposed amendments or may submit a written request to make an oral presentation. The comments or request shall:

1. Include the name, address, and telephone number of the person or agency authoring the comments or request.
2. Reference the number and title of the proposed amendment, as given in this Notice, that is the subject of the comments or request.
3. Indicate the general content of a requested oral presentation.
4. Be addressed to Tracy George, Department of Transportation, Office of Policy and Legislative Services, 800 Lincoln Way, Ames, Iowa 50010; fax (515)239-1639; E-mail [tracy.george@dot.iowa.gov](mailto:tracy.george@dot.iowa.gov).
5. Be received by the Office of Policy and Legislative Services no later than December 22, 2009.

A meeting to hear requested oral presentations is scheduled for December 29, 2009, at 1 p.m. at the Iowa Department of Transportation's Motor Vehicle Division offices located at 6310 SE Convenience Boulevard, Ankeny, Iowa.

The meeting will be canceled without further notice if no oral presentation is requested.

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 8339B** to allow for public comment. The content of that submission is incorporated by reference.

These amendments are intended to implement Iowa Code chapter 321, the REAL ID Act of 2005 (49 U.S.C. § 30301 note), and 6 CFR Part 37.